

ORDINANCE 92 - 20

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR THE GRANTING OF PERMITS FOR PUBLIC DISPLAY OF FIREWORKS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes, Section 791.02, provides authority to the Board of County Commissioners to adopt rules and regulations for the public display of fireworks; and

WHEREAS, there is a need to adopt said rules for the protection of the health, safety, and welfare of the citizens of Nassau County.

NOW, THEREFORE, BE IT ORDAINED this 18th day of May, 1992, by the Board of County Commissioners of Nassau County, Florida, as follows:

SECTION I. TITLE

This Ordinance shall be known as the "Fireworks Display Ordinance".

SECTION II. PURPOSE AND INTENT

The purpose of this Ordinance is to establish rules and regulations for the granting of permits for supervised public display of fireworks by fair associations, amusement parks, and other organizations or groups of individuals, when such display is to take place outside of any municipality. It is the intent of this Ordinance to protect and preserve the health, safety, and general well being of the citizens of Nassau County regarding the use of fireworks.

SECTION III. DEFINITIONS

(a) "Board" shall mean the Board of County Commissioners of

Nassau County, Florida.

(b) "Fireworks" shall mean and include any combustible or explosive composition or substance or combination of substances or, except as hereinafter provided, any article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation. The term includes blank cartridges and toy cannons in which explosives are used, the type of balloons which require fire underneath to propel them, firecrackers, torpedoes, skyrockets, roman candles, dago bombs, and any fireworks containing any explosives or flammable compound or any tablets or other device containing any explosive substance.

(c) "Fireworks" does not include sparklers approved by the Division of the State Fire Marshal of the Department of Insurance, pursuant to s. 791.013; toy pistols, toy canes, toy guns, or other devices in which paper caps containing twenty-five hundredths grains or less of explosive compound are used, providing they are so constructed that the hand cannot come in contact with the cap when in place for the explosion; and toy pistol paper caps which contain less than twenty hundredths grains of explosive mixture, the sale and use of which shall be permitted at all times. In addition, fireworks does not include novelty and trick noise makers as defined in Florida Statutes, 791.01(4)(c).

SECTION IV. PROHIBITED ACT

It shall be unlawful for any person, firm, co-partnership or corporation to offer for sale, expose for sale, sell at retail, or use or explode any fireworks, unless allowed by State law, except

for public display and said display shall only be allowed subject to the requirements of this Ordinance.

SECTION V. HOURS

It shall be unlawful to use or explode fireworks before 7:00 a.m. and after 10:00 p.m. Said times shall not be applicable on National holidays.

SECTION VI. N.F.P.A. 1123-1990 EDITION

The following provisions of N.F.P.A. 1123, 1990 Edition, Code of the outdoor display of fireworks are adopted: Chapter 2; Chapter 3; Chapter 4; Chapter 5; Appendix A; Appendix B; Appendix C.

SECTION VII. PERMIT

A permit shall be required to use or explode fireworks for public display.

a. The permit shall be made in writing at least fifteen (15) days in advance of the date of display. Permits shall be issued by the Fire Inspector.

b. The provisions of the N.F.P.A. Code shall apply.

c. The provisions of Florida Statutes, Section 791.02(1) shall apply.

d. The applicant shall meet with the Fire Inspector, when deemed necessary by him as regards the permit.

SECTION VIII. PENALTY


a. Any violation of any provision of this ordinance shall be a separate violation of this Ordinance, and upon conviction in County Court, the violator may be fined up to five hundred dollars

(\$500.00) and/or sixty (60) days incarceration in the Nassau County Detention Facility.

SECTION IV. EFFECTIVE DATE

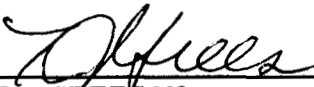
This Ordinance shall become effective upon its being filed in the Office of the Secretary of State.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



THOMAS D. BRANAN, JR.
Its: Chairman

ATTEST:



T. J. GREESON
Its: Ex-Officio Clerk

6/b:firework